

ADEQ

ARKANSAS
Department of Environmental Quality

April 17, 2014

Mr. Kenneth Atkins
[REDACTED]

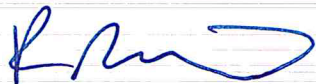
RE: Georgia-Pacific, LLC Complaint

Dear Mr. Atkins:

The Arkansas Department of Environmental Quality (ADEQ) has investigated three (3) complaints at your property located at [REDACTED] in Crossett, Ashley County, since 2004. A complaint investigated in 2004 alleged the improper disposal of wood waste on your property. Another complaint investigated in 2012 alleged the open burning of waste on your property. Neither of these complaint investigations found any evidence to substantiate the nature of the complaints. The most recent was your complaint against Georgia-Pacific, LLC which was investigated on August 28, 2013. Based on the information gathered during our August 2013 investigation, ADEQ did not find any evidence to indicate chemical waste had been buried on your property. Attached for your records is a copy of this complaint investigation report.

Please provide any additional information regarding the alleged burial of waste on your property. Until ADEQ receives specific information regarding the exact location of any potential waste buried on your property, we consider this case closed. If you have any additional questions or concerns, please do not hesitate to contact Penny J. Wilson of my staff at 501-682-0868.

Sincerely,



J. Ryan Benefield
Deputy Director

cc: Samuel Coleman (6RA), U.S. EPA Region 6
1445 Ross Ave., Suite 1200, Dallas, Texas 75202-2733



ARKANSAS
Department of Environmental Quality

September 23, 2013

MEMORANDUM

TO: Georgia Pacific File – AFIN 02-00013

THRU: Tammie Hynum, Chief, HWD, ADEQ
Tamara Almand, Enforcement & Inspection Branch Manager, HWD, ADEQ
Penny Wilson, Inspector Supervisor, HWD, ADEQ

FROM: Judy K. Russell, Inspector, HWD, ADEQ

DATE: September 11, 2013

Subject: Hazardous Waste Complaint #015924 – Georgia Pacific Corporation, Crossett,
Arkansas

On August 28, 2013, I investigated the above complaint. I was accompanied by Brett Baker, Hazardous Waste Division Inspector Supervisor and Matt Brooks, Deputy, of the Ashley County Sheriff's Department. Upon arrival, I asked Mr. Atkins to give me some background regarding the complaint. Mr. Atkins stated that at some point in the past (maybe 6 years) a representative of Georgia Pacific, Mr. Larry Robinson, had arranged with him to dispose of construction materials from Georgia Pacific in an excavation on Mr. Atkins' property. When he was told by an inspector from ADEQ Solid Waste Division that he couldn't use the excavation as a landfill, he no longer accepted these materials from Georgia Pacific, or neighbors. Sometime later, according to Mr. Atkins, A dump truck load of 55-gallon containers were dumped into the excavation with the construction materials. Mr. Atkins stated that on his way home that day, he saw a 55-gallon container on the road to his property, and stopped to pick it up. It contained, Mr. Atkins said, what appeared to be an acid. When he arrived home, he saw approximately 50-60 55-gallon containers in the excavation which appeared to be the same as the container he'd picked up. He contacted Mr. Robinson of Georgia Pacific, who claimed to know nothing of the containers. Mr. Atkins covered the dump site and nothing more was addressed until this complaint.



I saw no indications, by way of distressed vegetation, lack of vegetation, or stained soil, which might indicate that there had been chemicals buried on this property (See Photos 1-8 attached to this memo). I advised Mr. Atkins that he would need some form of documentation (photos, records of truck load contents, etc.) that would connect Georgia Pacific to his complaint before ADEQ could pursue the complaint further.

On September 10, 2013, Mr. Atkins called me to say that he had several notarized statements from truck drivers who had previously accepted waste from Georgia Pacific to be dumped into the open excavation site on Mr. Atkins' property. In addition, during the course of the conversation, he alleged that Georgia Pacific had contracted these same truck drivers to dispose of potash, as well as containers of acid, and construction materials.



Attachment:

Photos



Arkansas Department of Environmental Quality (ADEQ)
Official Photograph Sheet

Location:	Property of Mr. Kenneth Atkins, [REDACTED] Crossett, Arkansas						
Photographer:	Judy K. Russell				Witness:	N/A	
Photo #	1	Of	8		Date:	8/28/2013	Time: 10:40
Description:	The road leading into Mr. Atkins' property.						
							
Photographer:	Judy K. Russell				Witness:	N/A	
Photo #	2	Of	8		Date:	8/28/2013	Time: 10:45
Description:	Facing the back of the property's left side where the containers are allegedly buried.						
							


Arkansas Department of Environmental Quality (ADEQ)
Official Photograph Sheet

Location:	Property of Mr. Kenneth Atkins, [REDACTED] Crossett, Arkansas						
Photographer:	Judy K. Russell				Witness:	N/A	
Photo #	3	Of	9		Date:	8/28/2013	Time: 10:48
Description:	The view immediately to the right of the previous photo.						
							
Photographer:	Judy K. Russell				Witness:	N/A	
Photo #	4	Of	8		Date:	8/28/2013	Time: 10:50
Description:	The back of the property of the property and part of a depression in the soil where the drums are allegedly buried.						
							

Arkansas Department of Environmental Quality (ADEQ)
Official Photograph Sheet

Location:	Property of Mr. Kenneth Atkins, [REDACTED] Crossett, Arkansas						
Photographer:	Judy K. Russell				Witness:		
Photo #	5	Of	8		Date:	8/28/2013	Time: 10:50
Description:	A drainage pathway to the left of the alleged burial site.						
							
Photographer:	Judy K. Russell				Witness:	N/A	
Photo #	6	Of	8		Date:	8/28/2013	Time: 10:52
Description:	A depression on the property on top of the alleged burial site.						
							

Arkansas Department of Environmental Quality (ADEQ)
Official Photograph Sheet

Location:	Property of Mr. Kenneth Atkins, [REDACTED] Crossett, Arkansas						
Photographer:	Judy K. Russell				Witness:	N/A	
Photo #	7	Of	8		Date:	8/28/13	Time: 10:55
Description:	The back side of Mr. Atkins' property.						
							
Photographer:	Judy K. Russell				Witness:	N/A	
Photo #	8	Of	8		Date:	8/28/13	Time: 11:01
Description:	The view of Mr. Atkins' property looking from the back to the front.						
	